

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Land Acquisition – Nizamabad District – Dubbak (V), Dharpally (M), - Acquisition of land to an extent of Ac.8.25 Gts including (5) irrigation wells in Sy.Nos.633, 634/A, 634/E, 642/A, 642/AA, 649/A, 650, 651/A, 651/AA, 652/A, 652/AA and 660 - for providing house sites to the weaker section's people – Sanction of Rs.7,28,004/- towards balance decretal charges, as per the orders of the Hon'ble High Court in A.S No. 1082/2001, in O.P.No. 285/93 - Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 943

Dated: 12.11.2010.

Read the following:

1. From the District Collector Nizamabad Lr.No.G2/4378/2006, dated 27.6.2008.
2. From the Commissioner of Social Welfare, AP., Hyderabad Lr.No. LA2/7223/2008, dated 02.9.2008
3. From the Chief Commissioner of Land Administration, AP, Hyderabad, Lr. No. G3/1248/2008, Dated 05 /01/2009.
4. From the District Collector Nizamabad Lr.No.G2/4378/2006, dated 16.01.2010.
5. Govt.Memo.No.966/LA-2/2009-1, dated 06.4.2010.
6. From the Chief Commissioner of Land Administration, AP, Hyderabad, Lr. No. G3/1248/2008, Dated 02/06/2010.

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ORDER:-

In the reference 3rd read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that the LAO/Tahsildar, Dharpally has acquired land an extent of Ac.8.25 Gts i.e., patta land including (5) irrigation wells [Sy.Nos.633, 634/A, 634/E, 642/A, 642/AA, 649/A, 650, 651/A, 651/AA, 652/A, 652/AA and 650] situated at Dubbak (V) of Dharpally (M) for providing house sites to weaker sections, while fixing the market value @ Rs 8,000/- per acre vide award Procs.No.A/345/90, dated 31.12.1992. The awardees have received the land compensation under protest and referred the matter to Civil Court U/S 18 of the LA. Act for adjudication. The Hon'ble Addl. District Judge, Nizamabad has passed the judgment and decree in O.P. No.285/93 on 16-12-1999, duly enhancing the market value from Rs. 8,000/- to Rs.15,000/- per acre and with all admissible benefits under LA Act. Aggrieved by the above enhancement, the Tahsildar, Dharpally has preferred an appeal before the Hon'ble High Court of A.P. The High Court of A.P., has granted interim stay orders in A.S. No. 1082/2001, dt.17-9-2002 and directed the Land Acquisition Officer to deposit half of the enhanced decretal charges within (6) weeks from 17-9-2002. Accordingly an amount of Rs.1,64,843/- has been deposited in the lower Court on 16-4-2003. Subsequently the Hon'ble High Court in its final orders dated 04.01.2007, has dismissed the AS.No.1082/2001, duly enhancing the land value from 15,000/- to 40,000/- per acre. The GP for Appeals, AP High Court has opined that it is not a fit case for preferring appeal by way of SLP before Supreme Court of India. The Dist Collector, Nizamabad has submitted proposals along with the calculation sheet for sanction of Rs.7,09,185/-. The CCLA, Hyd has further stated that neither there is time nor merits for preferring further appeal. The CCLA, Hyd has requested for sanction of Rs.6,74,740/-, calculating the interest upto 30.6.2008 towards payment of decretal charges in OP.No.285/93. Subsequently, in the reference 4th read above the Dist Collector, Nizamabad has furnished revised calculations upto 31.01.2010 and requested for sanction of Rs.7,53,401/-. The CCLA has calculated interest from 01.7.2008 to 31.5.2010 and requested the Govt., for sanction of Rs.7,28,004/- (Amount already proposed + further interest upto 31.5.2010 (Rs.6,74,740/- + Rs.53,634/- =7,28,004/-), vide ref 6th read above.

2. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs.7,28,004/-, (Rupees seven lakhs twenty eight thousand and four only) to the District Collector, Nizamabad towards depositing of balance of decretal charges upto 31.5.2010 as per orders of the Hon'ble High Court dated 04.01.2007 in AS No.1082/2001 in

PTO

OP.No.285/93 in respect of the land acquired to an extent of Ac.8.25 Gts patta land including (5) irrigation wells [Sy.Nos.633, 634/A, 634/E, 642/A, 642/AA, 649/A, 650, 651/A, 651/AA, 652/A, 652/AA and 660] situated at Dubbak (V) of Dharpally (M) of Nizamabad District, for providing of house sites to the weaker section's people.

3. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2010-11 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites for weaker sections under Indiramma Programme - 310/312 – other Grants-in-Aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Nizamabad to comply with the Court orders.

6. The District Collector, Nizamabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide their U.O Note No12869/196/A1/Esp.SW/2009, dated 22.5.2009 and U.O No.15926/256/A1/Expr/.SW/09, dated 17.8.2009..

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Chief Commissioner of Land Administration, AP, Hyderabad.
The Commissioner of Social Welfare, A.P., Hyderabad.
The District Collector, Nizamabad District..

Copy to:

The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad
The District Treasury Officer, Nizamabad District.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER